THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25055 of 2006

Dated:24.04.2007

Between:

Dasu Vayunandana Rao.

... Petitioner

AND

The Assistant Commissioner and others.

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25055 of 2006

ORDER:

The petitioner is allegedly Archaka of Sri Paidamma Ammavaru Temple of Pedana Village and Mandal in Krishna District. Every year Jatara Festival is conducted for eleven days from Margasira Sudda Poornima according to Telugu Calendar by two families of the Village, namely, Thota and Dasu families. Large number of people visit the temple during Jatara and offer sarees, blouses and other items and also break coconuts. The third respondent herein issued auction notice dated 11.11.2006 informing that auction would be conducted on 23.11.2006, *inter alia*, for selling the offerings made by the pilgrims referred to hereinabove. Aggrieved by the same, the present Writ Petition is filed claiming that the Archakas of the temple are entitled for these offerings as they are not paid any salaries and the sale proceeds of these items will be adjusted for the maintenance of the temple and towards salaries of the Archakas. The petitioner, therefore, seeks a writ of mandamus directing the respondents not to interfere with the religious practices of the second respondent temple.

The case was filed on 30.11.2006 on the eve of annual Jatara Festival from 04.12.2006 to 14.12.2006. The auction itself was scheduled on 23.11.2006. Therefore, this Writ Petition filed in relation to the Jatara Festival and auction in November 2006, has become infructuous.

Even otherwise, as per the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Immovable Properties and other rights (other than Agricultural lands) Leases and Licenses Rules, 2003, all licences shall be made by public auction. Therefore,

there is no infirmity in the action complained.

The Writ Petition is accordingly, dismissed as infructuous. No costs.

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(**V.V.S.RAO, J**)

24.04.2007
vs